

THE FLORIDA FIASCO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I am joined tonight in this 5-minute Special Order with the gentleman from Florida (Mr. MICA) who, of course, has been very involved with this Florida situation. I wanted to just start out the evening to ask him, what is the gentleman's home county?

Mr. MICA. Mr. Speaker, I represent Volusia County, Orange County, and Seminole County, just above Orlando, in central Florida.

Mr. KINGSTON. Mr. Speaker, I think we are all learning where all the counties in Florida are located. Let me ask the gentleman this: Does the gentleman use the butterfly ballot in his county?

Mr. MICA. No, we do not.

Mr. KINGSTON. Mr. Speaker, what kind does the gentleman use?

Mr. MICA. Mr. Speaker, we use a simple ballot in which you have an arrow with a space in-between and you connect the lines.

Mr. KINGSTON. Now, the purpose of the butterfly ballot is what?

Mr. MICA. Well, the purpose of the ballot is the same as the ballot that we have; but let me tell the gentleman from Georgia, I sat in on the review of the ballots in Seminole County, Florida; and I have never in my life seen more ways to check a ballot in my life. It seems like a simple process to connect the lines, but people circle them, they X them, they cross from one to the other, and that is part of the problem we get into with some of these ballots. There are mistakes, and people submit improper completion of ballots, whether they are in my area or in Palm Beach County.

Mr. KINGSTON. Mr. Speaker, we keep hearing about these 19,000 ballots that were thrown out. A point of clarification. Actually, those are only the number of ballots that were discarded, people who did do their ballot wrong to step out and say, I messed up, could you give me another one, that ballot gets thrown in this discarded bin and then they go back in there, and they could do that four or five times.

Mr. MICA. Mr. Speaker, the gentleman is correct. In fact, in Duval County, which is Jacksonville, they had over 20,000 ballots that were discarded, a higher number with a lower population and lower voting number.

Mr. KINGSTON. Okay. So Duval County, 26,000 were thrown out. Are the Gore people working Duval? I have not heard of the Reverend Jackson going down there.

Mr. MICA. No, but if we get into these court-ordered recounts, we can go on. We have 67 counties to choose from, and we can continue this for some time.

We see some of the problem, particularly this subjective evaluation of ballots after they have been counted several times.

Mr. KINGSTON. Mr. Speaker, I think it is important to point out that in Palm Beach County, in 1996, 15,000 ballots were in the same situation.

Mr. MICA. The gentleman is correct.

Mr. KINGSTON. In 1996, 15,000, and this year, 19,000. Duval County, which leads Republican, actually 26,000.

We have, Mr. Speaker, a copy of the actual ballot that was used in Palm Beach County, Florida, and here it is. I will tell my colleagues, I know people get confused. However, when we think about Veteran's Day just passing and all of the people who have sacrificed their lives and died and been injured for the freedom of our country, one would think that the American electorate would at least take their time to fill out their ballot right and not do a lot of whining if they made a mistake. Here we have an arrow, George Bush for President; arrow, Patrick Buchanan, an arrow; and I understand it is absolutely legal to have the names on the right hand and the left-hand side of the arrow. AL GORE, an arrow. David McReynolds, an arrow, 6, 7; Harry Brown, an arrow.

I am really confused, Mr. Speaker, as to why this is so hard for people to understand. But then again, I know we get rushed on Election Day and people are entitled to make a mistake; but that is why they simply just walk out, say I made an error, I filled out the wrong arrow, give me another ballot; and that is what has, in fact, happened. I would ask the gentleman if that is not right.

Mr. MICA. Mr. Speaker, that is, in fact, what happened, not only in Palm Beach County, but in all of the 67 counties across Florida, that there were large numbers of ballots thrown out. Under our laws in Florida, one cannot vote for two people. Under our laws in Florida, one must indicate who one's choice is on the appropriate ballot. We have many different formats of ballots throughout the State.

Mr. KINGSTON. Mr. Speaker, I understand, however, ironically, that Mr. GORE's political operative here, William Daley, whose father, Richard Daley was notorious for ballot fraud, that is the word for it, in Cook County, Illinois, for so many years, his son, and I am not saying it is like father, like son, although others have; but his son is down here on behalf of Mr. GORE as his point man; and yet this is the same type ballot that they have in Illinois; is that not true?

Mr. MICA. Mr. Speaker, that is correct.

MORE ON THE FLORIDA FIASCO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MICA) is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, I thank the gentleman from Georgia (Mr. KINGSTON), and maybe he could remain.

I just want to go over a few points today. I would say to my colleagues

that we do have an incredible process in our country. We all get to participate. Election day is an exciting day, and no American can be denied access to the ballot box under our laws. We want to make sure that everyone has equal access to the ballot.

There has been a great deal of confusion. Some of it has of course been in my State, even in my locale in central Florida. I have just returned from observing some of the process. In the Florida House of Representatives, I served on the ethics and elections committee and helped write some of the laws that we now work under, and some have been changed since I left there and came to Congress some years ago. But basically, under the laws of this State of Florida, and under the laws and the Constitution of the United States, there is one date set aside for the election of the President of the United States. Just look at article 2 of the Constitution and it is there, the method for electing the President. We all cast our ballots on that date.

In Florida, there was a vote taken, and the results of that vote are public record, and it is all submitted through the supervisor of elections to the State Secretary of State. In a close election, Florida law provides that where there is one-half of 1 percent difference, that there is an automatic recount. Neither side has to ask for a recount; a recount is ordered.

So in Florida we had under the Constitution and State laws a legal, valid election in which Governor Bush led. We had a recount. The Secretary of State gave them until Thursday at 5 p.m., last Thursday at 5 p.m., each county the right and obligation to submit a recount, and each one was to conduct that, and I believe the Secretary of State even gave some extra time. In my county, we stayed up until 4 a.m. in the morning, and we were the last, Seminole County, to report. All 67 counties in a recount reported under the laws of the State of Florida in proper order. Now we have gotten into recounts of the general election, recounts of the recount, and we are into this sort of fuzzy area.

Mr. Speaker, the law, and it has changed since I was in the legislature, allows for manual counts; but unfortunately, there are no guidelines for this. So what I saw over the weekend in these manual counts, even in Volusia County, is sort of disorganized; I do not want to say chaos, but it is sort of recounting the second time by the seat of your pants.

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And it is somewhat subjective. That is what we do not want in this case. We have two valid counts, and that is what we need to take.

The gentleman from Georgia (Mr. KINGSTON) pointed out that in Palm Beach County there were some 16,000 invalid ballots. We have also documented throughout the State, almost in every county we had invalid counts.

So we have two counts. Tomorrow the Secretary of State, Katherine Harris, has very appropriately said she is going to abide by the law of the State of Florida. That is, by 5 p.m. they will certify a count. The three members of our State Canvassing Board, the Secretary of State, now the Commissioner of Agriculture since the Governor recused himself, and one other elections official will serve as the canvassing board, and at 5 p.m. those will be the votes that are counted.

Courts can extend this. They may very well do this. But the ultimate decision is up to those three individuals who will be the State certifiers.

Finally, let me just make one other point. The only other ballots that will be counted when all this is said and done, according, also, to law, and we must adhere to law, are the overseas ballots, which must be in by Friday at close of business.

All the rest of this, dragging people in from Chicago, Reverend Jackson from wherever he comes from, and all these other folks, is just in fact a sham, and it sort of insults the process. I am sorry to see that so many people have ganged in here. We need to follow the law and the procedures, and we will elect a president.

SOCIAL SECURITY

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, the gentleman from Michigan (Mr. SMITH) is recognized for 37 minutes as the designee of the majority leader.

Mr. SMITH of Michigan. Mr. Speaker, I yield to the gentleman from Georgia (Mr. KINGSTON) to finish off his comments.

VOTE COUNTING PROCEDURES IN FLORIDA IN THE PRESIDENTIAL ELECTION

Mr. KINGSTON. Mr. Speaker, I wanted to ask the gentleman from Florida (Mr. MICA), through the gentleman from Michigan (Mr. SMITH), I wanted to ask, the Governor has recused himself. Jeb Bush, Governor of Florida, since he is George Bush's brother, the President-elect, almost, he has taken himself out of this.

I know there are a number of judges who have donated to the Gore campaign. Now, I think it is obvious everybody involved probably has voted for one candidate or the other. A few may have voted for the third-party candidates, but generally speaking, most people in all of these rooms will have voted for Bush or GORE, so that is a given.

But I noticed there was a judge named I think LePore, another one named Kroll, all had given generously to the Gore campaign. Have they also taken themselves out or recused themselves?

Mr. MICA. I would tell the gentleman, Mr. Speaker, I do not know if they have. Unfortunately, this adds more questions to this whole process going on in Florida.

People want a fair count. They want all the votes counted. As I said, we had on election night a ballot that was valid, at least under the requirements of the congressional and constitutional law and, again, the State of Florida law. We had a recount as ordered by the State of Florida in a close election. That is an official recount. Each county had to certify those votes.

We are now getting into a very murky area with, again, these recounts. Some of them I think to date have shown in favor of Governor Bush, and some are yet to be tallied. That is not the question.

Mr. SMITH of Michigan. Reclaiming my time, Mr. Speaker, it is interesting that I was getting my plane ticket to come back to Washington, and to get the plane ticket, I gave my ID at the counter. She saw I was a Congressman. She asked if I was a Republican or Democrat. The young lady said, "These Democrats are crybabies."

But it is more than that. I think it is a serious situation, as we start questioning the electoral process. We are now on the third count of these ballots. With these ballots, my County Clerk said if we handle them, run them through the voting machine so many times, they start falling out in those little keypunch holes. They are almost indiscernible and impossible to read.

When we saw on the television cameras people holding them up to the light, trying to discern what was the intent of the voter, I think if we do this in one locality not only is it unfair to the rest of the counties in the State of Florida, but certainly it is unfair to all of the voters in the United States. Some people were kept from the voting booth because of weather. Should they have another opportunity?

I guess I am concerned that this does not become a sore loser situation that is going to continue to take their contest to the courts. Once we get the courts involved, it is going to be very difficult.

I yield to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. I thank my colleague for yielding, Mr. Speaker.

The point I just wanted to make, and I think it is probably clear from this conversation, if we are going to recount in a Democrat county and the Democrats by a two-to-one margin decided they wanted to do a third recount, then what about a recount in all the other 67 counties, as my colleague, the gentleman from Florida (Mr. MICA), has indicated?

I think that was pointed out in the editorial this morning in the Washington Post, that basically that is not fair just to go into Democrat counties, and these are very heavily Democratic districts, counties, and recount these votes, and not go into all the other ones, particularly the Republicans, as we have mentioned.

Mr. SMITH of Michigan. Four Democrat counties, mostly Democratic officials supervising these elections.

Mr. STEARNS. All Democrats supervising elections, and then we go to a Democratic-appointed judge to verify it.

I represent Duval County, which went two-to-one for Governor Bush, and in that county they have a lot of the same questions.

We have to, in the end, question this recount as a delaying tactic. We have already recounted twice in Florida. I do not think we should do it again. I thank the gentleman for yielding.

Mr. MICA. If the gentleman will yield further, one of the things that concerns me about getting into this subjective third and in some instances fourth count is they are taking a ballot, holding the ballot up, and it may be marked for all Democrat members of different offices or officeholders on the Democrat side, and subjectively saying that since they voted for all and they did not vote for President, this must be a mistake, and count that in the Democrat column.

Now, that is not fair if they are doing it for a Republican or for a Democrat.

The other thing, too, I am concerned about is the judge-shopping. They are going out to find judges to come up with a decision that they like, but at some point this must stop. Florida law requires that at 5 p.m. tomorrow, and I am glad to see that our Secretary of State Harris is enforcing that law, that that ends the process.

We have had a period for a general election, as required by law; a recount, which was done in every one of the 67 counties; and some additional recounts which have already been done and also submitted. But to drag this on and on, tampering with the ballots, coming up with a subjective interpretation, or standing out on the street yelling "My vote wasn't counted" or "My vote should have been counted."

Mr. SMITH of Michigan. To define the word "subjective", it originally started to figure out what was the intent of the voter.

The good news, I think, is that we are going to end up with the whole country reviewing their election system. We are going to end up with consideration and reviews and hearings here in Congress of how can we assure that when individuals vote, that they are going to have their vote counted.

Also, there is a law in Florida, like most States, that says there is a responsibility on the part of the voter: that that voter has to consider the solemnity of the occasion in deciding how careful they are in that vote.

We cannot help but wonder, as we view some of the demonstrators out there, when did they decide that they voted wrong? If they decided when they were still in the booth, they had a chance to redo that vote. So in many occasions, it did not seem like the demonstrators started coming out and they were organized until after it was identified as a close election.

Mr. MICA. Mr. Speaker, I have received information that these demonstrators were paid, a PR firm was